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4 TINO HOWARD,  
5 Petitioner,  
6 v.  
7 JERRY BROWN,  
8 Respondent.

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10 Case No. 15-cv-03238-YGR (PR)

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12 **ORDER OF VOLUNTARY DISMISSAL**

13 Pursuant to the notice of voluntary dismissal of this action filed by Petitioner on  
14 September 18, 2015, this action is terminated. *See Fed. R. Civ. P. 41(a)(1); Hamilton v. Shearson-*  
*Lehman American Exp. Inc.*, 813 F.2d 1532, 1534-1536 (9th Cir. 1987) (Rule 41(a)(1)(i) does not  
15 require leave of court to dismiss the action). The dismissal is without prejudice. *See Fed. R. Civ.*  
16 *P. 41(a)(1)* (unless the notice of dismissal states otherwise, it is deemed to be “without prejudice”);  
17 *Humphreys v. United States*, 272 F.2d 411, 412 (9th Cir. 1959).

18 The Clerk of the Court shall close the file. All pending motions are terminated.

19 IT IS SO ORDERED.

20 Dated: October 5, 2015

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YVONNE GONZALEZ ROGERS  
United States District Court Judge